



Docket No.: P-0222

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Confirmation No.: 6941

Jae Kyung LEE et al.

Group Art Unit: 2617

Serial No.: 09/842,082

Examiner: Usha Raman

Filed: 4/26/2001

Customer No.: 34610

For: TV AND CONTROL METHOD OF THE SAME

PRE-APPEAL BRIEF REQUEST FOR REVIEW

U.S. Patent and Trademark Office
Customer Service Window - Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Applicants request review of the rejection dated October 18, 2006 (hereafter the Office Action). This Request is being filed concurrently with a Notice of Appeal. The review is requested because the Office Action omits one or more essential elements needed for a *prima facie* case of obviousness and/or that a limitation is not met by the references.

Independent claim 1 recites a television (TV) reproducing video and audio signals by receiving a broadcast signal. The television includes a storing unit and a controlling unit. The storing unit for storing proper information of the TV, and contact information of a certain site. Independent claim 1 also recites the controlling unit for controlling displaying of information corresponding to function information and an error checkup menu of the TV received from the Internet based on the proper information of the TV and the contact information.

U.S. Patent 6,629,134 to Hayward et al. (hereafter Hayward) relates to a computer system having computer peripherals in which a peripheral condition may be determined and sent by firmware 16 over bus 32 to a computer 30. The Office Action (on page 3) states that Hayward

discloses a computer peripheral but does not disclose a television in communication with the computer system. The Office Action then states that a TV card was a well-known computer peripheral device that can be added to a computer. The Office Action (on page 2) states that when a computer is modified to include a tuner card, the computer becomes a television. Applicants respectfully disagree.

The Office Action's combination of Hayward's computer system with an alleged TV card does not suggest the features of the claimed television. As one example, Hayward's computer system and the alleged TV card do not suggest a television having a storing unit for storing proper information of the TV and a controlling unit for controlling displaying of information corresponding to function information and an error checkup menu of the TV. The Office Action states that a TV card allows the computer to act like a television. The addition of a TV card does not change a computer system into the claimed television. Rather, the computer system would, at best, be modified to receive and display video on a computer screen (as stated on page 2 of the Office Action).

Applicants respectfully submit that Hayward and the alleged TV card do not teach or suggest all the claimed features, and therefore the Patent Office fails to make a *prima facie* case of obviousness. More specifically, Hayward and the alleged TV card do not teach or suggest a television having the claimed storing unit and/or the storing unit for storing proper information of the TV. There is no suggestion that a TV card includes the claimed storing unit for storing proper information of the TV. There also is no suggestion that Hayward includes a storing unit for storing proper information of a TV. Therefore, even if the combination is made as alleged in the Office Action, the combination still does not store proper information of the TV (as claimed).

Applicants further submit that the features of the claimed television (at the time of the invention) differ from a computer system. The modification of a computer system does not correspond to the claimed television. Further, one skilled in the art at the time of the invention would not have considered Hayward's computer system (with a TV card) to be the claimed television.

Additionally, Hayward and the alleged TV card do not teach or suggest a television having the claimed controlling unit and/or an error checkup menu of the TV. There is no suggestion that a TV card relates to an error check up menu of a TV. Further, there is no suggestion that Hayward relates to an error check up menu of a TV. Therefore, even if the combination is made, the combination still does not relate to an error checkup menu of the TV. For at least the reasons set forth above, independent claim 1 defines patentable subject matter.

Independent claim 10 recites a control method of a television (TV) that includes transmitting proper information of the TV to a certain site, and receiving, at the TV, service menu information corresponding to the TV. Independent claim 10 also recites selecting information from the received service menu information at the TV, and receiving, at the TV, the selected information from the service menu information. Independent claim 10 also recites displaying the selected information on the screen of the TV.

For at least similar reasons, Hayward and the alleged TV card do not teach or suggest all the features of independent claim 10. Even more specifically, Hayward and the alleged TV card do not suggest displaying the selected information on the screen of the TV. Additionally, the Office Action (on page 4) cites Hayward's col. 6, lines 20-24 and col. 7, lines 48-51 as teaching the claimed "selecting information." However, the cited sections relate to a computer system and not to a TV. Thus, even if the combination is made, the combination still does not relate to the

specific information of the TV and/or the other features regarding the TV, as recited in independent claim 10.

Independent claim 27 recites a television that includes a television storing unit to store information of the television. Independent claim 27 also recites a television that includes a television controlling unit to transmit the stored information and error information of the television to an Internet site, the television controlling unit to receive error information based on the transmitted error information, and the television controlling unit to automatically apply the received error information so as to restore the error of the television.

For at least similar reasons, the applied references (including Platt) do not teach or suggest at least these features of independent claim 27. Neither Hayward nor a TV card teach or suggest a television including a television control unit. Platt also does not suggest a television controlling unit to automatically apply the received error information so as to restore the error of the television. Platt and Hayward do not relate to errors of a television. The alleged TV card also does not suggest the missing features. Therefore, even if Platt is combined with Hayward, there still is no teaching or suggestion of restoring an error of a television, as recited in independent claim 27.

For at least similar reasons, the applied references do not suggest receiving a signal requesting information about a television and transmitting a model name or a model number of the television from a television to a particular web site based on the received signal, the particular site and the model name or the model number being previously stored in the television, as recited in independent claim 31. Further, the alleged combination does not teach or suggest transmitting a model name or model number of the television from a television to a website based on a received signal. That is, the Office Action's modification of a computer

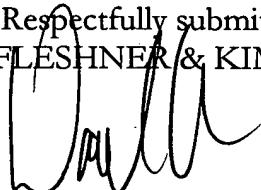
system does not correspond to the claimed features relating to a television such as a model name or a model number of a television, as recited in independent claim 31.

Dependent claim 2 recites that the controlling unit automatically restores an error of the TV based on received information. See also dependent claims 15, 22, 23, 25 and 37-38. Platt does not suggest to restore an error of the TV based on received information. Platt and Hayward do not relate to errors of a TV and therefore do not relate to automatically restoring an error of a TV. The alleged TV card also does not suggest the missing features. Thus, dependent claim 2 (and similarly dependent claims 15, 22, 23, 25 and 37-38) also defines patentable subject matter.

Additionally, dependent claim 32 recites that the signal is received from a television remote control. The applied references do not teach or suggest this specific feature. The Office Action's citation of a "show me" button does not correspond to a television remote control.

Additionally, the Office Action's discussion of a user interface device is without any basis. There is no suggestion for a TV card receiving a signal from a user interface device. Thus, dependent claim 32 also defines patentable subject matter.

Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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